

COMMITTEE: DEVELOPMENT CONTROL

DATE: 13<sup>th</sup> FEBRUARY 2013

SUBJECT: 15-16 CRESCENT ROAD  
CONVERSION AND CHANGE OF USE OF HOTEL (CLASS C1)  
TO 12 NO. ONE BEDROOM FLATS (CLASS C3) TOGETHER  
WITH MINOR ALTERATIONS  
APPLICANT: MR T. LOY  
APPLICATION NO: 12/01192/FUL

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICER: ANNE JAMES

IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER
WARDS AFFECTED:	HIGH TOWN

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## PURPOSE

1. To advise Members of a current application for planning permission and to seek their permission.

## RECOMMENDATION APPROVE

2. Development Control Committee is recommended to grant Planning Permission, subject to the following conditions:

- (01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

*Reason: to limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.*

- (02) The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and

specifications as set out on Luton Borough Council Plan Nos. 01, 02, 04, 06, 07, 08, and 09.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.*

- (03) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the institution of lighting engineers in their publication "the ile outdoor lighting guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of the Local Planning Authority.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan.*

- (04) Full details of the design and means of construction of the proposed bin and cycle stores for the flats shall be submitted to and approved by the Local Planning Authority before the development is commenced and the details thereby approved shall be installed prior to the first occupation of any residential unit on the site.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local plan.*

- (05) No works or development shall take place until full details of a landscaping scheme to include all hard surfaces, grassed areas, tree and shrub plantings and the proposed times of planting, has been approved in writing by the local planning authority, and all grassed areas shall be laid out and all tree and shrub planting shall be carried out in accordance with those details and at those times. Within one month of the completion of the landscaping scheme written confirmation of the completion date shall be submitted to the Local Planning Authority. If within a period of five years from the initial date of planting of any tree or shrub, any such plant is removed, uprooted or destroyed or dies, or becomes in the opinion of the local planning authority, seriously damaged, diseased or defective, another tree or shrub of the same species

and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.*

- (06) A management plan, including management responsibilities and maintenance schedules, for all internal and external shared/common areas of the development shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development hereby approved. The management plan shall be carried out in full as approved.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.*

- (07) Before the use hereby permitted is commenced full details shall be submitted to and approved by the Local Planning Authority showing a parking area for 11 vehicles, the parking area shall be constructed in accordance with the approved details before the first occupation of the development hereby approved.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LP1, and H2 of the Luton Local Plan.*

- (08) Full details of the proposed boundary treatment of the site shall be submitted to and approved by the Local Planning Authority before the development is commenced and the approved treatment shall be installed before the development hereby approved is first occupied.

*Reason: to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LP1, H2 and ENV9 of the Luton Local Plan..*

- (09) No trees shall be lopped, topped or felled without the prior approval of the local planning authority, in advance of a landscaping scheme for the site being approved and that scheme shall indicate the location of all the trees existing on the land together with the species of each tree.

*Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with*

***the objectives of Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.***

**(10) Before any work on site is commenced, full details shall be submitted to and approved by the local planning authority for the safeguarding of the trees, shrubs and/or hedges within the site. The safeguarding measures thereby approved shall be implemented prior to the commencement of any demolition works, removal of topsoil or commencement of building operations and retained in a position until development is completed. The land so enclosed shall be kept clear of plant, building materials, machinery and other objects and the existing soil levels not altered.**

***Reason: To safeguard the existing trees, shrubs and/or hedges on the site. To accord with the objectives of Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.***

## **REPORT**

### **BACKGROUND**

3. This application is a resubmission of a previously withdrawn scheme which sought to convert the existing ground and first floor accommodation to six self contained units at Nos. 15-16 Crescent Road.
4. In the resubmitted scheme, planning permission had originally been sought for 12 self contained units, 6 of which had been classified as pre-existing. The pre-existing accommodation provided 2no two bedroom flats, 1no bedsit and 3no one bedroom flats. However, according to the Council's records the site had an existing use as a 31 bedroom hotel, known as 'Roselodge Hotel' and as no evidence had been provided with the application to support when this change of use had occurred, the applicant had been advised that there would be s106 contributions required towards the cost of education and waste management.
5. Several amended schemes have been submitted resulting in the final scheme for the conversion and change of use of the hotel to form 12no one bedroom flats.

### **The Site and Surroundings**

6. The application site comprises an attractive detached two storey rendered building with accommodation in the roof. There are two separate entrance doors located on the flank wall elevations. An access-way leading to the rear of the building is located adjacent to the south-eastern boundary. The site also benefits from a generous frontage with the building set back from the footpath in Crescent Road by approximately 15m.
7. The site holds an elevated position along Crescent Road which continues rising northwards resulting in the terracing of the rear amenity space to create stepped level surfaces, one of which has been brought level with the road

surface in Moulton Rise. The rear amenity space is hard surfaced and currently has no rear boundary treatment, therefore the rear of the site is accessible from Moulton Rise where additional parking is available.

8. The prevailing character of development in this area comprises residential units with the railway yard to the south-east of the site. The area to the north of Crescent Road, known as Hart Hill, has a blanket Tree Preservation Order and includes a large number of mixed species mature trees which contribute to the area's designation of Local Landscape Importance.

#### Local Plan Allocation

9. LP1, ENV2, ENV9, H2, T3, T13 and IMP1.
10. The site is within an area of Local Landscape Importance on the proposals map of the Local Plan.

#### Previous History

11. 12/00862/FUL Conversion and change of use of ground floor and first floor bedsits to 6 self contained one bedroom flats together with minor alterations. Withdrawn
12. 06/01288/OUT Development of land for residential purposes - Erection of 6 storey building comprising 72 one bedroom flats. Refused on 12<sup>th</sup> July 2007.
13. 05/00210/UCU Enforcement query that hotel has been converted to self-contained flats. Case closed.
14. 04/01309/OUT Development of land for residential purposes - Erection of 32 one / two bedroom flats with associated parking after demolition of hotel. Withdrawn.

#### Consultation Responses

15. Luton Central Library – no comments received.
16. Children and Learning – no contributions.
17. Museum – no comments received.
18. Waste Management – contributions required.
19. Highway Engineering - No highway implications are anticipated.
20. Parks – no comments received
21. Environmental Protection – no comments to make.
22. Police Architectural Liaison – no comments received.

23. Statutory Publicity: The application has been notified to 29 adjoining occupiers. One letter has been received highlighting the following concerns:
- Consider that the scheme should see a reduction in the number of flats from twelve to ten;
  - The scheme will exacerbate traffic congestion in Crescent Road;
  - Lack of amenity space for residents

### Policy Implications

#### The National Planning Policy Framework (NPPF)

24. Chapter 7 promotes the importance of the design of the built environment which should positively contribute to making places better for people. (s56). Furthermore, development should establish a strong sense of place and create attractive and comfortable places to live (s58).

#### Luton Local Plan

25. Policy LP1 – sustainable development strategy will grant permission for developments unless it is considered that they will fail to maximise the opportunity to improve the physical environment of the town; fail to maximise the opportunity to improve the quality of life of residents.
26. Policy ENV2 – Local Landscape areas. Stipulates that planning permission will not be granted for development except where the proposal would preserve or enhance the character, natural beauty, landscape and setting.
27. Policy ENV9 – Design Principles ensures that development should enhance the character and appearance of an area.
28. Policy H2 [B] relates to housing on sites not allocated for housing, providing the site is on previously developed land and would not lead to a loss of uses for which there is a recognised local need.
29. Policy T3 – traffic implications of development will only be permitted if development would exacerbate road congestion or cause safety problems for other road users.
30. Policy T13 – Parking specifies that development will only be permitted where the proposed parking provision is necessary and does not exceed the maximum standards.
31. Policy IMP1 – contributions will be required towards the provision of facilities made necessary by the implementation of development.

### **MATERIAL PLANNING CONSIDERATIONS**

32. The material planning considerations relate to the principle of the change of use, its impact on the character of the area, impact on adjoining occupiers, living environment created and parking.

#### Principle of Change of Use

33. From the Council's records it is not clear when the site in Crescent Road ceased to function as a hotel. However, there are a number of hotel schemes which have received planning permission during the last few years, two of which have been built and are open for visitors. One in Kimpton Road comprising 188 beds and at another at Blush House with 120 beds. Therefore, on balance it is considered that sufficient hotel provision exists within the town and the loss of the hotel in Crescent Road will not have a negative impact on the level of hotel accommodation available within the town.

#### Character of the Area

34. The application site is located at the base of the tree covered slope off Hart Hill. To the west are a number of large properties not too dissimilar in terms of scale and appearance to the application site To the east is a 4-5 storey flat development and to the rear is Mouton Rise where there are a number of 4-5 storey blocks of maisonettes.
35. The proposal seeks to carry out some minor alterations to the fenestration on both the flank elevations and an external staircase has already been removed. There are no alterations proposed to either the front or rear elevations save for the insertion of two roof lights in the single storey rear extension, which will have little or no impact on the character of the property or the area.
36. In terms of the change of use from a 31 bedroom hotel to self contained flats, the site will see a reduction in the amount of activity and therefore an opportunity to maximise the physical environment of the town has been taken.

#### Impact on Adjoining Occupiers

37. Given that the proposal will not involve any significant external works, the impact on the amenity of adjoining occupiers can only be assessed on the basis of the layout of the existing building and the minor external alterations which are proposed.
38. To the east of the site is a 4-5 storey block of flats that fronts Crescent Road. Both developments have secondary windows in the flank elevations that currently face each other and it is proposed to insert two additional windows serving kitchens on the first floor. Given that there is a distance of 7m between the buildings and in between are a number of substantial trees there it is considered that there will be no significant loss of privacy. To the west of the site is a detached property of similar design to Nos. 15-16, which has been converted into 10 self contained flats. This property is separated by a distance of 3.5m. On the elevation facing this property an external staircase has been removed and an additional window on the first floor which will serve a kitchen

has been inserted. It is considered that the proposal would not have any significant impact on the amenities of these adjoining occupiers and will improvement on the current situation.

39. To the rear of the site, in Moulton Rise, standing on higher ground, is a group of 4-5 storey blocks of maisonettes. They are clustered around a central amenity area. This proposal is to enclose the existing rear amenity space currently accessed from Moulton Rise and as such this will reduce the level of activity to the benefit of these adjoining occupiers.
40. Again the scheme will see a reduction in the amount of activity generated by its previous hotel use which will improve the quality of life of adjoining occupiers

#### Living Environment Created

41. The accommodation proposed on both the ground and first floors is fairly spacious with all 8 flats benefiting from a separate bedroom, lounge, kitchen and bathroom. All habitable rooms have either a front or rear outlook with good sunlight and daylight penetration. The 4 flats on the second floor are slightly smaller with either a kitchen/lounge and bedroom, or a bedsitting room with separate kitchen and bathroom.
42. The applicant has increased the floor space in Flat 11, which has been achieved by removing the corridor between Flats 11 and 12 and incorporating this space to enlarge both bathroom and kitchen areas. All of the accommodation offers more than the minimum standard room size and have an acceptable outlook. All occupiers have access to an enclosed rear landscaped amenity area.

#### SPD Obligations

43. The SPD on planning obligations was formerly adopted by the Council in September 2007. Therefore the document, in conjunction with Policy IMP1, holds considerable weight in the determination of applications for development.

44. In accordance with this document and following receipt of the consultation responses, the following contributions have been sought:

Highways – nil requirement  
Education – nil requirement  
Museums – no sum requested  
Open space – no sum requested  
Waste management – £408.00 requested.  
Parks – no sum requested

45. The applicant has been notified of this requirement and a unilateral undertaking has been requested. Both payment and signed agreement have been received.

#### Parking



46. The frontage of the site is already hard surfaced and sufficient parking exists on site. Eleven parking places are proposed which complies with the Council's residential parking standards and these can be marked out prior to occupation of the development. A secure cycle storage facility can also be provided.

## **CONCLUSIONS**

47. The proposal maximises an opportunity to improve the physical environment of the town as well as providing much needed accommodation of an acceptable size and with a good degree of living environment offered. There will be no detrimental impact on either the amenities of the adjoining occupiers or the character of the area and for the reasons set out above, the application is recommended for approval.

## **LIST OF BACKGROUND PAPERS** **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

Luton Local Plan 2001-2011.  
National Planning Policy Framework.